

REMARKS

Claims 9-18 were previously pending in the application. This Amendment amends claims 17 and 18. Claims 9-16 remain unchanged. Claims 9, 14, and 17 are independent.

An Amendment fully responding to the Office Action of November 28, 2008, was submitted on April 30, 2009.

This Supplemental Amendment and Statement of Substance of Interview are submitted in addition to the Amendment filed on April 30, 2009, in accordance with the Interview conducted with the Examiner on June 16, 2009.

Statement of the Substance of the Interview

Applicants thank Examiner Natasha Campbell and Supervisory Examiner Michael Barr for the courtesies extended in the personal interview conducted with Applicants' Representative, John J. Dresch, Reg. No. 46,672, on June 16, 2009. A copy of an Interview Summary was provided by the Examiner at the interview. Applicants submit this Statement to comply with the requirements of M.P.E.P. § 713.04.

In the interview, the following was discussed:

A. Identification of claims to be discussed:

Claims 9-18.

B. Identification of prior art discussed:

1. The Eberhardt, Jr. et al. reference (US 4,689,089).
2. The Peterson reference (US 4,936,289).
3. The Helwig, Jr. reference (US 4,331,484).
4. The Upadhye et al. reference (US 6,571,564).
5. The Cushing reference (US 4,249,090).

C. Identification of principal proposed amendments:

New claims 17 and 18, as submitted in the Amendment filed on April 30, 2009, were discussed in the interview.

Additional options for clarifying the features of the present application, which Applicants respectfully submitted are not disclosed or suggested by the applied references, were discussed.

The Examiner also kindly suggested amending the claims to clarify that the heating is performed only in the flow section of the dishwasher, and that the flow section is within the dishwasher housing.

The Examiner kindly agreed to enter a supplemental amendment to amend the claims in accordance with these suggestions. The Examiner requested that the Supplemental Amendment be submitted by June 30, 2009.

D. Brief Identification of principal arguments:

Applicants argued that the features of the claimed invention are not disclosed or suggested by the applied references, either individually or in combination, for the reasons set forth in the Amendment filed on April 30, 2009.

E. Results of the Interview:

Applicants gratefully acknowledge the Examiner's agreement in the Interview Summary dated June 16, 2009, to withdraw the rejection of claims 9 and 13-15 under 35 U.S.C. § 102 over the Eberhardt, Jr. et al. reference (US 4,689,089).

The Examiner stated that further search and consideration will be necessary before a determination of the allowability of the claims can be reached.

Supplemental Amendment

In accordance with the Examiner's very helpful suggestions, this amendment amends claims 17 and 18 to clarify that the heating is performed only in the flow section of the dishwasher, and that the flow section is within the dishwasher housing.

Applicants respectfully submit that none of the applied references discloses or suggests at least these features of claims 17 and 18, for somewhat similar reasons as those set forth in the Amendment filed on April 30, 2009. For the Examiner's convenience, the arguments presented in the Amendment filed on April 30, 2009, are not duplicated in this Supplemental Amendment.

CONCLUSION

In view of the above, entry of the present Amendment and allowance of Claims 9-18 are respectfully requested. If the Examiner has any questions regarding this amendment, the Examiner is requested to contact the undersigned. If an extension of time for this paper is required, petition for extension is herewith made.

Respectfully submitted,

/James E. Howard/

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